

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Confirmation date: April 15, 2020
Time: 9:30 AM

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IN RE:

CASE NO.: 20-22204-shl

Marla Marie Torres,

CHAPTER 13

Debtor.

Judge: Sean H. Lane

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**OBJECTION TO CONFIRMATION OF THE
DEBTOR'S PROPOSED AMENDED CHAPTER 13 PLAN**

NOW COMES, Wells Fargo Bank, N.A., (hereinafter referred to as "WFHM"), by and through its attorneys, Frenkel, Lambert, Weiss, Weisman & Gordon, LLP, and in support of its objection to confirmation of the Debtor's proposed amended Chapter 13 plan, states as follows:

1. On or about February 07, 2020, the Debtor herein filed a petition under Chapter 13 of the Bankruptcy Code and pursuant thereto an automatic stay was imposed.

2. WFHM is a secured creditor of the Debtor pursuant to a note and mortgage executed by the Debtor on December 14, 2010 to secure payment of the principal sum of \$144,000.00 on property located at 861 Palisade Avenue Apt. 1D, Yonkers, New York 10703.

3. A Proof of Claim was filed on behalf of WFHM on February 24, 220 as claim # 1-1. As evidenced by the Proof of Claim there were \$0.00 in pre-petition arrears as of the date of the bankruptcy petition. Additionally, upon information and belief, at this time the Debtor is post petition current and due for the May 1, 2020 post petition payment.

4. The Debtor's amended indicates a request for Loss Mitigation in regard to the property located at 861 Palisade Avenue Apt. 1D, Yonkers, New York 10703. Wells Fargo will evaluate this request and determine whether an objection to the Debtor's request is warranted. Notwithstanding the Debtor's request for loss mitigation, the Debtor should continue to make monthly

payments to Wells Fargo in accordance with the terms of the Note and Mortgage.

WHEREFORE, WFHM, respectfully requests that confirmation of the Debtor's amended plan be denied and for other and further relief as is just and proper.

Dated: Bay Shore, New York
April 10, 2020

Respectfully submitted,
Frenkel, Lambert, Weiss, Weisman & Gordon, LLP

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